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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 MIKE HOWISEY, as attorney in fact for  
11 WALLACE E. HOWISEY, an incapacitated  
12 person,

13 Plaintiff,

14 v.

15 TRANSAMERICA LIFE INSURANCE  
16 COMPANY, a foreign corporation organized  
17 under the laws of the State of Iowa,

18 Defendant.

Case No. C17-00009RSM

ORDER DENYING DEFENDANT'S  
MOTION FOR LEAVE TO FILE  
OVERLENGTH BRIEF IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT

19 This matter comes before the Court on Defendant Transamerica Life Insurance  
20 Company ("Transamerica")'s Motion to File Over-Length Reply Brief in Support of its Motion  
21 for Summary Judgment. Dkt. #58. The Court has reviewed the instant Motion and determined  
22 that it can be denied without the need for responsive briefing. *See* LCR 7(f)(3).

23 On September 7, 2017, Transamerica filed a 24-page motion for summary judgment.  
24 Dkt. #40. This motion was renoted for consideration on October 6, 2017. Dkt. #45. Plaintiff  
25 filed a 24-page Response on October 2, 2017. Dkt. #54. Both the motion and the Response  
26 satisfy the 24-page limit for motions for summary judgment; the reply brief is limited to 12  
27 pages, LCR 7(e)(3), and is due on October 6, 2017, LCR 7(d)(3).  
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ORDER DENYING DEFENDANT'S MOTION FOR LEAVE TO FILE OVERLENGTH  
BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - 1

1 The instant Motion seeks leave to file five additional pages in the Reply because  
2 “Plaintiff’s Response raises several new issues that were not addressed in Transamerica’s  
3 Summary Judgment Motion,” and because Plaintiff has filed a new declaration with ten  
4 exhibits. Dkt. #58 at 2.

5 Motions seeking approval to file an over-length motion or brief are “disfavored.” LCR  
6 7(f). As the Court has previously stated, over-length briefing is never granted without a  
7 demonstrated need for additional argument or evidence. Transamerica has failed to adequately  
8 demonstrate such a need. That an opposing party would raise new issues in Response to a  
9 summary judgment motion, or attach new exhibits, is routine and does not alone warrant  
10 deviating from this Court’s well-reasoned page limitations. Transamerica has simply failed to  
11 show that it cannot adequately respond within 12 pages of briefing.  
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13 Accordingly, the Court hereby finds and ORDERS that Defendant Transamerica’s  
14 Motion to File Over-Length Reply Brief in Support of its Motion for Summary Judgment, Dkt  
15 #58, is DENIED.  
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19 DATED this 4 day of October, 2017.

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22 RICARDO S. MARTINEZ  
23 CHIEF UNITED STATES DISTRICT JUDGE  
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